

REMARKS

This Amendment is being filed in response to the Office Action mailed June 15, 2007 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended for better conformance to U.S. practice.

In the Office Action, the Examiner objected to claims 1-2, 5-6 and 8-13 for certain informalities. In response, claims 1-14 have been amended to remove the informalities noted by the Examiner as well as other informalities. Accordingly, withdrawal of the objection to claims 1-2, 5-6 and 8-13 is respectfully requested. Claims 1-14 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights they may have under the Doctrine of Equivalents

In the Office Action, claims 1-6, 8 and 11-14 are rejected

under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,377,958 (Orcutt). Claims 7 and 9-10 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Orcutt in view of U.S. Patent No. 6,895,490 (Moore). It is respectfully submitted that claims 1-21 are patentable over Orcutt and Moore for at least the following reasons.

On pages 3, 8 and 11 of the Office Action, in rejecting independent claims 1, 8 and 11, column 10, lines 3-6 of Orcutt is cited to allegedly show an indicator area or a stored indicator "indicating whether the main system data and the virtual file system data are consistent," as recited in independent claim 1, and similarly recited in independent claims 8 and 11.

Further, on page 11 of the Office Action, in rejecting independent claim 12, column 4, lines 57-61 of Orcutt is cited, in addition to column 10, lines 3-6, for allegedly showing "reading an indicator which indicates whether main file system data of a main file system stored in a main file system area of said management area and virtual file system data of a virtual file system stored in raw format in a virtual file system area are consistent, from an indicator area of said management area," as recited in independent

claim 12.

It is respectfully submitted that column 4, lines 57-61 of Orcutt merely discloses a partition identifier and a system indicator that indicates the type of file system contained in the partition. Further, column 10, lines 3-6 of Orcutt merely discloses a verifying step. It is respectfully submitted that storing or reading an indicator which indicates whether main and virtual file system data are consistent, as recited in independent claims 1, 8, 11-12 and 15, is nowhere disclosed or suggested in Orcutt. Merely checking the internal consistency of all redundant copies in no way teaches or suggest storing or reading an indicator of consistency, as required by independent claims 8, 11-12 and 15. Moore is cited to allegedly show other features and do not remedy the deficiencies in Orcutt.

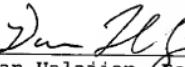
Accordingly, it is respectfully submitted that independent claims 1, 8, 11-12 and 15 should be allowable. In addition, claims 2-7, 9-10, 13-14 and 16-21 should be allowable at least based on their dependence from independent claims 2-7, 9-10, 13-14 and 16-21.

In addition, Applicant denies any statement, position or

avertainment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: New Abstract

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